

Exhibit List

1. ~~(S//REL TO USA, FVEY)~~ Post-Strike Snips
2. ~~(S//REL)~~ Preliminary Post-Strike (Prelim Post-Strike Email)
3. ~~(S//REL)~~ ISIS-K HPA Disruption Story Board (J2 product)
4. ~~(S//REL)~~ Initial 5Ws of KS 29 1223Z AUG 21 (b)(1)1.4a Kabul (5Ws)
5. ~~(S//REL)~~ (b)(1)1.4(a) FFIR #9 (Any CF Engagement) KABUL DT KABUL PV 29 1223Z AUG 21 (FFIR)
6. (U) CENTCOM CIVCAS Statement (CENTCOM PAO statement)
7. ~~(S//REL)~~ Initial Final Report, (b)(1)1.4(a) HQ CCIR #7 Potential CIVCAS (S/C CCIR)
8. ~~(S//REL)~~ Intel Post-Strike Assessment
9. ~~(S//REL)~~ DA Form 2823 - Sworn Statement (b)(1)1.4(a)
10. ~~(S//REL)~~ DA Form 2823 - Sworn Statement - (b)(6)
11. ~~(S//REL)~~ DA Form 2823 - Sworn Statement - (b)(6)
12. ~~(S//REL)~~ (b)(1)1.4(a) (mIRC log from 29 Aug 2021)
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18. ~~(S//REL)~~ HKIA Post-Blast Storyboard
19. ~~(S//REL)~~ ISIK-K TAI Strike Solution
20. ~~(S//REL)~~ Sedan 2 Overview
21. ~~(S//REL)~~ Abbey Gate - 21 August
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23. ~~(S//REL)~~ DA Form 2823 - Sworn Statement - MG Donahue
24. ~~(S//REL)~~ DA Form 2823 - Sworn Statement - (b)(6), (b)(3) (10 U.S.C. § 130b)

Page 2 redacted for the following reason:

(b)(1)1.4a

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Page 3 redacted for the following reason:

(b)(1)1.4a

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Page 4 redacted for the following reason:

(b)(1)1.4a

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~~SECRET//REL TO USA, FVEY~~

(b)(1)1.4(a)

(b)(1)1.4(a)

8 September 2021

MEMORANDUM FOR Commander

(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

1. ~~(S//REL)~~ Executive Summary.

a. ~~(S//REL)~~ The ISIS-K cell responsible for the suicide attack on 26 August 2021 against the Abbey Gate of Hamid Karzai International Airport (HKIA) (herein after, ISIS-K cell) was simultaneously deploying personnel to conduct additional rocket and suicide attacks against U.S. Forces and civilians at HKIA. (b)(1)1.4(a), (b)(1)1.4(g) confirmed the ISIS-K cell obtained suicide bombers, two vehicles (white Corolla and motorcycle), explosives, media support and planned to execute an attack against HKIA on 29 August (TOP SECRET Addendum). In response, USFOR-A FWD, U.S. Embassy Kabul (USEK), and 82d Division HQ, closed all gates at HKIA at 0400D on 29 August, while also directing the crowds to disperse.

b. ~~(S//REL)~~ While U.S. Forces and USEK attempted to clear the crowds around HKIA, the (b)(1)1.4(a) received (b)(1)1.4(a), (b)(1)1.4(g) confirming the same ISIS-K cell had established a base of operations at a location six kilometers to the west of HKIA. ISIS-K used the neighborhood as a staging area for suicide bombers and previous rocket attack against the airport in December 2020. It should be noted that ISIS-K used the same neighborhood, less than 200m away from the known ISIS-K compound (Target Area of Interest (b)(1)1.4(a) to launch rockets at HKIA on 30 August 2021.

c. ~~(S//REL)~~ On 29 August, a white Toyota Corolla (also referred to as Sedan 2 or S2 in exhibits) fitting the (b)(1)1.4(a), (b)(1)1.4(g) description used by the ISIS-K cell moved to the established ISIS-K compound (b)(1)1.4(a) —see graphic). (b)(1)1.4(a), (b)(1)1.4(g) followed the vehicle to a second building (b)(1)1.4(a) where the driver carefully loaded a package into the trunk of the vehicle. (b)(1)1.4(a), (b)(1)1.4(g) confirmed the cell was moving explosives on 29 August, and (b)(1)1.4(a) assessed the package as explosives based on the careful handling of the material. The vehicle drove an erratic route assessed to be a surveillance detection route (SDR) and finally parked at a location (b)(1)1.4(a) with one adult male driving. The erratic route is consistent with ISIS-K directives to avoid close circuit cameras and pre-attack posture historically demonstrated by the group.

~~SECRET//REL TO USA, FVEY~~

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

d. (~~S//REL~~) The vehicle and driver were assessed with high confidence to be part of the ISIS-K cell and in the final stages of executing an imminent attack at HKIA. Based on the (b)(1)1.4(a), (b)(1)1.4(g) reporting, positive identification (PID) of a vehicle fitting the attack cell's description, and suspicious activity with known ISIS-K facilities, the (b)(1)1.4(a) Commander was reasonably certain this was directly part of the ISIS-K cell that was preparing to attack HKIA on 29 August.

e. (~~S//REL~~) (b)(1)1.4(a) employed all feasible tactics, techniques, procedures (TTPs) and precautions while conducting an engagement against a vehicle posing an imminent threat to the U.S. Forces securing HKIA. (b)(1)1.4(a) took the appropriate steps to avoid or minimize collateral damage prior to weapons release. The targeted vehicle was tracked for eight hours across the city, and no civilians were detected within the confines of the compound prior to or following weapons release and impact. There were two adult males identified as part of the ISIS-K cell next to the vehicle. Based on intel known to the (b)(1)1.4(a) Commander, they posed an imminent threat to U.S. Forces. Upon multiple post-strike reviews of the DoD and Partner (b)(1)1.4(a), (b)(1)1.4(g) at least six non-combatants are in the partially covered courtyard who were not detected prior to the engagement of the hostile forces.

2. (U) Background.

a. (~~S//REL~~) The U.S. military mission withdrew from the Embassy Southern Compound to HKIA on the night of 15 August due to direct pressure from the Taliban who took over the city of Kabul. The Taliban offensive swept through Afghanistan rapidly, collapsing the government in less than 24 hours. U.S. Officials and Commanders sought to protect forces and withdraw to HKIA to complete the evacuation process. After thousands of Afghans breached the South Gate on 16-17 August, HKIA remained closed and evacuation flights were denied, causing several days of panic for civilians. Large crowds gathered at the entry control points around all of HKIA. (b)(1)1.4(a), (b)(1)1.4(g) assessed as many as 20,000 people attempting to get into HKIA at any given time. The mass of people attempting to enter the airport created a vulnerable target for ISIS-K.

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(b)(1)1.4a, (b)(1)1.4g

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(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

senior-level ISIS-K high profile attack (HPA) planners who were directly responsible for the 26 August attack intended to conduct a follow-on complex attack at HKIA on 29 August. In response to the threat reporting, USFOR-A FWD, USEK, and 82d Airborne Division HQ closed all the gates at 0400D on 29 August to mitigate the threat.

3. (U) Strike Actions.

(1) ~~(S//REL)~~ Pre-Strike. The ISIS-K cell that conducted the suicide attack on 26 August against the Abbey Gate at HKIA was simultaneously deploying personnel to conduct additional rocket and suicide attacks against U.S. Forces and civilians. (b)(1)1.4(a), (b)(1)1.4(g) confirmed the same cell had obtained suicide bombers, two vehicles (white Toyota Corolla and motorcycle), explosives, media support and planned to execute the attack against HKIA on 29 August (TOP SECRET Addendum). In response, USFOR-A FWD, USEK, and 82d Division HQ closed all gates at HKIA at 0400D on 29 August, while also directing the crowds to disperse. While U.S. Forces and USEK attempted to clear the crowds around HKIA, (b)(1)1.4(a) received (b)(1)1.4(a), (b)(1)1.4(g) confirming the same ISIS-K cell had established a base of operations at a location six kilometers to the west of HKIA. ISIS-K used the neighborhood as a staging area for suicide bombers and previous rocket attack against the airport in December 2020. Subsequently ISIS-K used the

(b)(1)1.4(a), (b)(1)1.4(g)

(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

same neighborhood, less than 200m away from the building identified as (b)(1)1.4(a) to launch rockets at HKIA on 30 August 2021.

(2) ~~(S//REL)~~ Prior to conducting a strike (b)(1)1.4(a) conducted a (b)(1)1.4(a)

(b)(1)1.4(a), (b)(1)1.4(g)

(a) ~~(S//REL)~~ Target Engagement Authority (TEA). TEA was delegated from the Commander of CENTCOM, Gen Kenneth McKenzie, to the Commander of the 82d Airborne Division, MG Chris Donahue, as Ground Force Commander (GFC). This delegation was verbal and understood by the Commanders.

(b) ~~(S//REL)~~ Rules of Engagement (ROE). The ROE in effect at the time was published 15 July 2021, and had subsequent modifications. Some modifications were verbalized or emailed from GEN McKenzie to RADM Vasely or MG Donahue. Modifications did not affect the inherent right to self-defense, or MG Donahue's TEA authorities, because he could authorize engagements that posed an imminent threat to U.S. Forces at HKIA. Commanders and forces retain the inherent right to self-defense.

(c) ~~(S//REL)~~ Positive Identification (PID). (b)(1)1.4(a) maintained positive identification of the target vehicle from (b)(1)1.4(a) at the time of the strike. On 29 August, a white Toyota Corolla fitting the (b)(1)1.4(a), (b)(1)1.4(g) description used by the ISIS-K cell moved to the established ISIS-K compound (b)(1)1.4(a), (b)(1)1.4(g) see graphic). (b)(1)1.4(a), (b)(1)1.4(g) the vehicle to a second building (b)(1)1.4(a) where the driver carefully loaded a package into the trunk of the vehicle. (b)(1)1.4(a), (b)(1)1.4(g) confirmed the cell was moving explosives on 29 August and (b)(1)1.4(a) assessed the package as explosives based on the careful handling and size of the material (TOP SECRET Addendum). The vehicle drove an erratic route assessed to be a surveillance detection route (SDR) and finally parked at a location (b)(1)1.4(a) with one adult male driving. The erratic route is consistent with pre-attack posture historically demonstrated by ISIS-K cells to avoid close circuit cameras prior to an attack.

(b)(1)1.4(a)

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(b)(1)1.4(a), (b)(1)1.4(c)

(d) (~~S//REL~~) Pattern of Life (PoL). Screeners and (b)(1)1.4(a) assessed one adult male internal to the observed compound and one male inside the Toyota Corolla. The vehicle was under consistent observation for approximately eight hours. There were no civilians observed by (b)(1)1.4(a) or the Joint Intelligence Brigade (JIB) screeners in the immediate collateral hazard area for the strike at the time it was conducted. At the time of the strike, screeners informed the Commander (b)(1)1.4(a) that one adult male was present inside the compound wall, and one adult male was driving the vehicle.

(e) (~~S//REL~~) Collateral Damage Estimate (CDE). For this kinetic strike (b)(1)1.4(a) (b)(1)1.4(a) Joint Tactical Air Controllers (JTAC) and Intelligence Surveillance, and Reconnaissance Controller (ITC) arrived at a 3m Collateral Effects Radius solution for the selected Hellfire missile. (b)(1)1.4(a)

minimize the collateral effects of the warhead striking the target. This weaponizing solution was optimal for weapons effects inside the vehicle and for limiting collateral concerns in the courtyard. The (b)(1)1.4(g) Hellfire missile would detonate beneath the sedan's roof surface and before exiting the floor, thus killing the occupant and destroying the vehicle (b)(1)1.4(a) chose this option over a point detonation because collateral effects to personnel was a main concern. Collateral damage was the main

(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

concern throughout the day while the white Toyota Corolla traveled down an urban Kabul alley and into the compound courtyard. Point detonation would have increased collateral concerns and would have detonated upon contact with the roof, thus sending bomb fragments in all directions. (b)(1)1.4(a)

(b)(1)1.4(a) | A third potential munition was an inert Hellfire—one which could easily miss the target yet produce extremely low collateral. The (b)(1)1.4(a) Commander selected the (b)(1)1.4(a), (b)(1)1.4(a) for this strike to minimize collateral damage.

(f) (U) No Strike List (NSL). The NSL is intended to protect structures, and any people located therein, from collateral damage. No structures from the NSL were a concern in this self-defense strike.

(3) (~~S//REL~~) Strike decision. Based upon the totality of information at the time, (b)(1)1.4(a) and the GFC reached reasonable certainty that the vehicle was being driven by an ISIS-K member who was facilitating an imminent attack against HKIA. Accordingly (b)(1)1.4(a) and the GFC assessed that the vehicle posed an imminent threat, whose destruction would protect the lives of U.S. Forces at HKIA. MG Chris Donahue gave (b)(3) (10 U.S.C. § 130b), (b)(6) the authorization to fire, (b)(3) (10 U.S.C. § 130b), (b)(6) ordered the weapon release. (b)(1)1.4(a) and the GFC conducted one strike in defense of U.S. Forces, resulting in two enemy KIA, one vehicle with assessed internal explosive material destroyed, and an assessed six potential civilian casualties (CIVCAS).

(4) (~~S//REL~~) Presence of Civilians Known at the Time. Given the quality of feeds and calls of the screeners, there was no information relayed to (b)(1)1.4(a) or GFC to suggest civilians were in the collateral hazard area. Even if civilians were identified after weapon release from the aircraft, given the time between weapon release and detonation ("time of flight", assessed to be 20 seconds or less) and collateral hazards surrounding the vehicle and courtyard, there was no appropriate option to shift the weapon to a safe area.

4. (U) Post Strike Actions and Analysis.

a. (U) Following a report of potential CIVCAS, the (b)(1)1.4(a) Commanding General (CG), (b)(6) (b)(3)(10 U.S.C. § 130b) directed a CIVCAS Credibility Assessment Report (CCAR) to determine whether a CIVCAS incident was likely to have occurred. When the CCAR determined that a CIVCAS incident had likely occurred, the CG, (b)(1)1.4(a) appointed the (b)(1)1.4(a) (b)(3) (10 U.S.C. § 130b), (b)(6) to conduct an AR 15-6 investigation with a directed suspense of 7 September, in accordance with (b)(6) directive.

(b)(1)1,4(a)

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b. ~~(S//REL)~~ The (b)(1)1,4(a) Chief of Staff and (b)(1)1,4(a) J2 independently reviewed all intelligence leading the positive identification, chat logs, (b)(1)1,4(a), (b)(1)1,4(a) (including partner feeds) and actions taken by the strike cell and partnered forces. These interviews, document and feed reviews all contributed to this report. There is a TOP SECRET digital addendum that can be requested through the (b)(1)1,4(a) Staff Judge Advocate

(b)(6)

c. ~~(S//REL)~~ Secondary Explosions. Moments after the munition struck and detonated at the rear of the white sedan, a large explosion engulfed the video frame. The explosion was quickly replaced by a large burning flame. Conflicting opinions from experts regarding the secondary explosion makes it inconclusive regarding the source of the large flame seen after the strike. The GEOINT Exploitation Team (GET), the Processing Exploitation and Dissemination (PED) cell, and three Explosive Ordinance Disposal personnel independently viewed the strike video and assessed that some form of an accelerant ignited from within the vehicle.

(b)(1)1,4(a)

(GET Comment) The Imagery Analyst noted that it is very rare to see a car explode when it catches fire. For this to happen, it needs the perfect proportion of oxygen, gas, and fire. Cars run on liquid gas which will typically not explode when set on fire. Cars are engineered such that, in the event of a worst-case scenario they burn, not explode. Once the munition hits the white sedan, a large explosion was observed one second after initial impact in which the GET assessed as possible accelerants that were not organic to the vehicle.

(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

(b)(1)1.4(a)

(GET Comment) Imagery Analyst Note. It is assessed that the possible accelerant is coming from the center of target (white Toyota Corolla).

5. (U) Findings.

a. ~~(S//REL)~~ The strike likely resulted in at least six CIVCAS. (b)(1)1.4(a)
Commander and GFC both sought to eliminate the threat with zero CIVCAS. However, trees and courtyard overhang limited visibility angles, and video quality obscured the identification of civilians in or near the courtyard prior to the strike.

b. ~~(S//REL)~~ The investigation cannot make a decisive conclusion about the source of the secondary explosion and fire in the back of the white Toyota Corolla.

c. ~~(S//REL)~~ This strike was properly conducted in self-defense of U.S. Forces at HKIA. The ISIS-K threat reporting and risk to U.S. forces in HKIA were contributing factors that led to the expeditious nature of the strike. The strike location was considered a low collateral option compared to striking a moving target in urban terrain. In light of these considerations, as well as the other information known to them at the time, the (b)(1)1.4(a)
(b)(1)1.4(a) commander and GFC's decision to strike this vehicle a (b)(1)1.4(a)
was reasonable and in accordance with established rules of engagement.

(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

d. ~~(S//REL)~~ Contributing factors. (b)(1)1.4(a) Commander and the GFC were postured to assess the dynamic relationship between risk to force, the value of the target, and the clarity of intelligence about the nature of this ISIS-K target. Threat conditions remained extremely high to U.S. forces at HKIA. Intelligence indicated that an attack on U.S. forces was imminent. Risk of failure to prevent an imminent attack weighed heavily in the (b)(1)1.4(a) and GFC's decisions. Therefore, I find the strike met reasonable certainty that the ISIS-K operative, driving a white Toyota Corolla, was prepared to participate in an attack on U.S. Forces at HKIA. Proportionality considerations also weighed in favor of taking the strike. The (b)(1)1.4(a) Commander and the GFC achieved reasonable certainty for the strike and attempted to mitigate all blast effects from the weapon solution within the walls of the compound.

e. ~~(CUI)~~ I find no negligence on the part of any individual involved in the strike process. Although CIVCAS did occur, the circumstances leading to the loss were reasonably unavoidable given the circumstances. Therefore, I do not believe there are any actions for which any individual could be held liable.

f. ~~(S//REL)~~ I also find that at the time of the strike, intelligence supported finding reasonable certainty that the individual driving the white Toyota Corolla at the compound location (b)(1)1.4(a) was an ISIS-K operative, involved in targeting Afghan and American lives at HKIA.

6. Recommendations.

a. ~~(CUI)~~ All aircraft participating in the surveillance of a potential strike target should clearly communicate during operations. Given the high risk nature of this operation, the (b)(1)1.4(a) required real time updates and feedback from each airborne platform. Most importantly, the designation of strike posture indicates that the Commander is preparing to strike a target with lethal force. On 29 August, the (b)(1)1.4(a) Commander prepared to strike the white Toyota Corolla and required all (b)(1)1.4(a), (b)(1)1.4(g) to provide a collateral scan on the objective. Coordination between all (b)(1)1.4(a), (b)(1)1.4(g) including partners, can give the (b)(1)1.4(a) Commander maximum situational awareness about the intended target location. Recommend deliberate confirmation among all (b)(1)1.4(a), (b)(1)1.4(g) prior to the execution of a strike, including an explicit notification that the Commander is directing strike posture.

b. ~~(S//REL)~~ CENTCOM should examine the available evidence to determine the source of the secondary explosion and flame after the strike on the Toyota Corolla. The evidence available at the time of this investigation render an unknown conclusion about

(b)(1)1.4(a)

SUBJECT: (U) Findings and Recommendations for Army Regulation (AR) 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

the substance that created such a large flame after the strike. I recommend further investigation by subject matter experts.

c. ~~(S//REL)~~ Commanders should pause, when operationally feasible, to confirm through ITC and PED that target and collateral are within the strike parameters. Urban terrain presents the greatest risk of collateral effects upon civilians. Commanders must accept prudent risk to mission and forces to achieve reasonable certainty before striking a target. The urban terrain in Kabul presents a high risk category for conducting strike operations. The operational security and techniques of ISIS-K produce doubt and uncertainty for targeting efforts. The high confidence ~~(b)(1)1.4(a) (b)(1)1.4(g)~~ a picture of imminent risk to the U.S. Forces in HKIA, only 1.5 km from the white Toyota Corolla. The weaponeering solution and strike location were selected in an effort to minimize collateral damage. A short tactical pause may have increased the chance that ~~(b)(1)1.4(a) (b)(1)1.4(g)~~ ~~(b)(1)1.4(a) (b)(1)1.4(g)~~ would have seen civilians in the compound area at the ~~(b)(1)1.4(a)~~

d. ~~(S//REL)~~ I recommend ensuring one ~~(b)(1)1.4(a) (b)(1)1.4(g)~~ remains on the strike location to collect data on enemy casualties and to gather additional post-strike intelligence. In this engagement, ~~(b)(1)1.4(a) (b)(1)1.4(g)~~ could confirm post-strike casualties and possibly identify any non-combatants which were inadvertently killed.

7. (U) Point of contact for this memorandum is the undersigned at ~~(b)(6)~~

~~(b)(3) (10 U.S.C. § 130b) (b)(6)~~

Encl.
See exhibit list

~~(b)(3) (10 U.S.C. § 130b), (b)(6)~~

(b)(1)1.4(a)

From:
Sent:
To:

(b)(1)1.4(a), (b)(1)1.4(g), (b)(3)(10 U.S.C. § 130b), (b)(6)

Subject:
Attachments:

Team,

Initial K/S snaps are attached and the video(s) can be accessed from the link below.

(b)(1)1.4(a)

Date: 29AUG21

(b)(1)1.4(a)

(b)(1)1.4(a)

WPNS Employed: 1

(b)(1)1.4(a)

EKIA: 2

EWIA: 0

Other damage: N/A

(b)(1)1.4(a)

(b)(1)1.4(a)

CDE-G Required: NO

Primary Target Type: VEHICLE

(b)(1)1.4(a)

REMARKS: KABUL DISTRICT, KABUL PROVINCE, AF; (b)(1)1.4(a) (COLLATERAL); ROE:
INHERENT RIGHT TO SELF-DEFENSE; GFC INTENT MET.

(b)(6)

V/R,

(b)(3) (10 U.S.C. § 130b), (b)(6)

(b)(3) (10 U.S.C. § 1306), (b)(6)

~~Attachment Classification: SECRET//REL TO USA, FVEY~~

~~Message Body Classification: SECRET//REL TO USA, FVEY~~

~~Classification: SECRET//REL TO USA, FVEY~~



(b)(1)1.4(a)

8 September 2021

From: Commander (b)(1)1.4(a) HQ
 To: Deputy Commander, U.S. Central Command

Subj: ~~(S//REL)~~ Army 15-6 Investigation – Civilian Casualty Incident, Kabul, 29 August 2021

1. (U) I approve the findings and recommendations by (b)(6) our Investigating Officer, regarding civilian casualties that occurred on 29 August.
2. ~~(S//REL)~~ The Investigating Officer determined the strike likely resulted in at least six civilian casualties. Civilians in the compound area were not detected prior to missile launch.
3. ~~(S//REL)~~ With approval from the Target Engagement Authority, the Strike Cell Commander conducted the strike consistent with established self-defense rules of engagement. The Commanders determined with reasonable certainty the vehicle and driver were an imminent threat to U.S. Forces and associated with ISIS-K based on a combination of intelligence, which included signal intelligence, observed presence and interaction at a known ISIS-K bed down location, activity consistent with ISIS-K leadership attack cell preparations, careful handling of material, and movement and staging consistent with known ISIS-K tradecraft.
4. ~~(S//REL)~~ Several factors influenced the decision to conduct the strike once clear of an urban environment, including the 26 August attack on Hamid Karzai International Airport which claimed more than 170 lives, numerous specific threat reports of a subsequent suicide attack, the publicized 31 August U.S. departure, and the close proximity to U.S. Forces.
5. ~~(S//REL)~~ The secondary explosion after the strike warrants additional analysis that could not be completed by the deadline. The GEOINT Exploitation Team assessed possible accelerants not organic to the vehicle caused the secondary explosion. However, the source of this explosion remains uncertain, and I recommend further investigation by experts to determine the accelerant and its potential relation to the civilian casualties.
6. (U) Recommendations internal to (b)(1)1.4(a) HQs have already been implemented. The recommendation for CENTCOM to further analyze the secondary explosion is provided for consideration.

7. (U) For questions, I may be reached at (b)(3) (10 U.S.C. § 130b), (b)(6)

(b)(3) (10 U.S.C. § 130b), (b)(6)

(b)(3) (10 U.S.C. § 130b), (b)(6)

(b)(3) (10 U.S.C. § 130b), (b)(6)

~~SECRET~~

(b)(3) (10 U.S.C. § 130b), (b)(6)

Sent: Monday, August 2, 2021 11:03 AM
To:

Cc: (b)(3) (10 U.S.C. § 130b), (b)(6)

Subject: (S) Initial 5Ws of K/S 29 (b)(1)1,4(a) Kabul

Gentlemen,

(b)(1)1,4(a) conducted a kinetic strike in support of US Forces' inherent right to self-defense against (b)(1)1,4(a) planning and facilitating a (b)(1)1,4(a) against HKIA
Who: (b)(1)1,4(a)
What: Kinetic strike in support of US Forces' inherent right to self defense
When: 29 (b)(1)1,4(a) AUG 21
Where: (b)(1)1,4(a) KABUL // (b)(1)1,4(a) - 1.5 Km West of HKIA
Why: Force protection of US Forces HKIA

(b)(1)1,4(a), (b)(1)1,4(c)

(b)(1)1,4(a), (b)(3)(10 U.S.C. § 130b), (b)(6)

Page 20 redacted for the following reason.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

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Page 21 redacted for the following reason.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

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(b)(1)1.4(a)

(b)(1)1.4(a)

3 September 2021

MEMORANDUM FOR (b)(6)

SUBJECT: (U) Appointment as Investigating Officer – Civilian Casualty Incident, Kabul, 29 August 2021

1. (U) Appointment. You are hereby appointed as an Investigating Officer (IO) pursuant to Army Regulation (AR) 15-6 to conduct an informal administrative investigation into the facts and circumstances surrounding a strike conducted in Kabul, Afghanistan on 29 August 2021 that is alleged to have resulted in a civilian casualty (CIVCAS) incident. Your responsibilities as an IO take precedence over all other military duties. You have until 7 September 2021 to conduct this investigation and complete your report. Coordinate any requests for extension through your legal advisor.

2. ~~(GUI)~~ Legal Advisor. Your legal advisor is the Office of the Staff Judge Advocate, (b)(1)1.4(a) Consult with a legal advisor before undertaking your investigation via SVOIP (b)(6) (b)(3) (10 U.S.C. § 130c) , or by email at (b)(6), (b)(3) (10 U.S.C. § 130b) to arrange a legal brief.

3. ~~(GUI)~~ General Instructions.

a. (U) The purpose of an AR 15-6 investigation is to elicit facts. You are directed to conduct an investigation into the matters set forth in paragraph 5 below. Your investigation should explore any issues or deficiencies with policy, procedures, resources, doctrine, training, and leadership that might have contributed to this incident. Upon completion of this investigation, you will complete a report of investigation that conforms to the requirements in paragraph 7 of this memorandum and with AR 15-6. You will provide your report to your legal advisor, who will arrange for a legal review.

b. (U) If, at any time while you are conducting your investigation, something happens that could cause me to consider enlarging, restricting, or terminating your investigation, or otherwise modifying any instruction in this memorandum of appointment, immediately report this situation to me, together with your recommendations as to the action I should take in response.

4. (U) Scope of Investigation. Conduct an investigation into the facts and circumstances surrounding a CIVCAS incident that is alleged to have occurred on

SUBJECT: ~~(S)~~ Appointment as Investigating Officer – Civilian Casualty Incident, Kabul, 29 August 2021

29 August 2021 in Kabul, Afghanistan. Provide and reference relevant (b)(1)1.4(a), (b)(1)1.4(a) witness statements, and other documentary evidence surrounding the strike. Your legal advisor can assist you with accessing resources from outside elements and agencies, as necessary.

5. (U) Conduct of the Investigation.

a. (U) You are to conduct this investigation using the procedures outlined in Chapter 5 of AR 15-6, and the general guidance provided in Chapter 3 of AR 15-6. Include appropriate classification markings for each paragraph or exhibit.

b. (U) To the extent possible, witness statements will be written and sworn. You should record witness statements on a DA Form 2823 (Sworn Statement). If it is impracticable to obtain a written and/or sworn statement from a particular witness, you will attest to the accuracy of any transcription or summary of such witness testimony in whatever form it appears within your CCAR. In accordance with AR 340-21, provide a Privacy Act statement to a witness if you do not use a DA Form 2823 to record the statement of that witness.

c. (U) No U.S. military or civilian witness can be ordered to provide information that may incriminate him or herself. You may order a military or DoD civilian employee witness to provide a statement if you believe that they have relevant information that would not incriminate themselves. If, in the course of your investigation, you come to suspect a person may have engaged in criminal conduct, you will consult with your legal advisor. Under no circumstances should you attempt to elicit any information from a suspect without first advising that person of his/her rights under Article 31, UCMJ, or the Fifth Amendment of the U.S. Constitution, as appropriate. Document any rights advisement and witness waivers of their Article 31 or Fifth Amendment rights on a DA Form 3881 (Rights Warning Procedure/Waiver Certificate) or appropriate MFR.

6. (U) Report of Investigation (ROI). Your report of investigation will be written IAW AR 25-50 and will include:

- a. (U) An Executive Summary;
- b. (U) A completed and signed DA Form 1574-1, *Report of Proceedings by an Investigating Officer*;
- c. (U) A signed memorandum with your findings and recommendations;
- d. (U) This memorandum of appointment;

SUBJECT: ~~(S)~~ Appointment as Investigating Officer – Civilian Casualty Incident, Kabul, 29 August 2021

- e. (U) A detailed chronology of the daily actions you took during the investigation;
- f. (U) A list of all individuals interviewed during the course of this investigation;
- g. (U) An index of all attached enclosures (designated by numerical characters) and exhibits (designated by alphabetical characters);
- h. (U) All enclosures and exhibits, properly classified and labeled/divided.

7. (U) **Findings.** You will reach your findings by a preponderance of the evidence that you gather. A finding is a clear and concise statement of facts that can be readily deduced from evidence of the record. In your report, develop specific findings and cite the evidence that supports your findings. If evidence conflicts (e.g., conflicting witness statements), make finding as to which evidence is more credible and why you believe it to be more credible.

8. (U) **Recommendations.** Based on your findings, make recommendations as to what changes, if any, are needed in terms of policy, procedures, resources, doctrine, training, and leadership to avoid incidents of this nature in the future, as well as recommendations consistent with your findings concerning other items your investigation revealed. Each recommendation will cite to the finding that supports it.

9. (U) **Submission.** You may not release any information related to this investigation to anyone, other than your legal advisor, without my prior approval. I am the approval authority for all requests for extension.

10. (U) Point of contact for this memorandum is [REDACTED] (b)(3) (10 U.S.C. § 130b), (b)(6)

[REDACTED] (b)(3) (10 U.S.C. § 130b), (b)(6)

[REDACTED] (b)(3) (10 U.S.C. § 130b), (b)(6)

[REDACTED] (b)(1)1,4(m)

~~SECRET~~

(b)(3) (10 U.S.C. § 130b), (b)(6)

To:

Cc:

(b)(1)1,4(a), (b)(3) (10 U.S.C. § 130b), (b)(6)

Subject:

(b)(1)1,4(a)

ANY CF ENGAGEMENT //KABUL DT, KABUL PV // 29 1223Z AUG 21

Sir,

(b)(1)1,4(a)

ANY CF ENGAGEMENT // KABUL DT, KABUL PV // 29 1223Z AUG 21

BLUF: (b)(1)1,4(a) conducted a kinetic strike in support of US Forces' inherent right to self-defense against (b)(1)1,4(a) planning and facilitating (b)(1)1,4(a) against HKIA

WHO: (b)(1)1,4(a)

WHAT: Kinetic strike in support of US Forces' inherent right to self defense

WHEN: 29 (b)(1)1,4(a) AUG 21

WHERE: (b)(1)1,4(a) KABUL // (b)(1)1,4(a)

(b)(1)1,4(a)

AMPLIFYING INFORMATION:

- (b)(1)1,4(a) assets meeting of (b)(1)1,4(a) with Sedan 1 and Sedan
- (b)(1)1,4(a) (b)(1)1,4(c) on HKIA.
- S2 Sedan departs (b)(1)1,4(a) with (b)(1)1,4(a)

~~SECRET~~

- S2 drops of (b)(1)1.4(a) passenger at (b)(1)1.4(a)
- S2 drops of (b)(1)1.4(a) passenger in (b)(1)1.4(a) of (b)(1)1.4(a)
- S2 drops of (b)(1)1.4(a) passenger at (b)(1)1.4(a)
- (b)(1)1.4(a) (b)(1)1.4(c) on HKIA with updated preparation
- S2 backs into open air garage. Total observed (b)(1)1.4(a) internal to S2 and (b)(1)1.4(a)
- I to vehicle, closing garage gate.
- (b)(1)1.4(a)
- (b)(1)1.4(a)
- (b)(1)1.4(a)

(b)(1)1.4(a)

~~SECRET~~

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER

Note. Completed forms may contain personally identifiable information and require handling as set forth in AR 340-21.

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by

(b)(3)(10 U.S.C. § 1306), (b)(5)

(Appointing authority)

on _____ (Date) (Attach enclosure 1. Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)

SECTION II - TIMELINE

1. The (investigation) commenced at _____ at _____
(Place) (Time)
on _____
(Date)
2. The (investigating officer) finished gathering/hearing evidence a _____ on _____ and completed
(Time) (Date)
findings and recommendations at _____ on _____
(Time) (Date)

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES

	YES	NO ^{1/}	NA ^{2/}
1. Enclosures (para 3-13, AR 15-6)			
Are the following enclosed and numbered consecutively with Roman numerals. (Attached in order listed)			
a. The memorandum of appointment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. All other written communications to or from the appointing authority?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Privacy Act Statements (Certificate, if statement provided orally)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Explanation by the investigating officer of any unusual delays, difficulties, irregularities, or other problems encountered (e.g., absence of material witnesses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Any other significant papers (other than evidence) relating to administrative aspects of the investigation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. An Executive Summary, Index of Exhibits, Chronology of the Investigation and lists of all persons interviewed and evidence gathered. (Complex, serious and/or high profile cases)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Exhibits (para 3-14, AR 15-6)			
a. Are all items offered (whether or not received) or considered as evidence individually numbered or lettered as exhibits and attached to this report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is an index of all exhibits offered to or considered by investigating officer attached before the first exhibit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Are descriptions or diagrams included of locations visited by the investigating officer (Appendix C-3, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FOOTNOTES. 1/ Explain all negative answers on an attached sheet.

2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation.

SECTION IV - FINDINGS (para 3-10, AR 15-6)

The (investigating officer), having carefully considered the evidence, finds: [Each paragraph should be one conclusion based on the evidence gathered during the investigation. These findings should provide answers to each question posed by the appointing authority in the appointment memorandum. The evidence that supports each finding must be cited.]

SECTION V - RECOMMENDATIONS (para 3-11, AR 15-6)

In view of the above findings, the (investigating officer) recommends: [Each paragraph should be one recommendation based on the findings in Section IV. Address what actions, if any, should be taken with regard to the individuals involved, the unit leadership, and any steps that can be taken to prevent the occurrence in the future. Recommendations do not need to be adverse or punitive. For example, the investigation results can be used as a training tool.]

SECTION VI - AUTHENTICATION (para 3-15, AR 15-6)

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE.

(b)(3), 10 U.S.C. § 130b) (b)(6)

(Investigating Officer)

SECTION VII - ACTION BY APPROVING AUTHORITY (para 2-8, AR 15-6)

The findings and recommendations of the (investigating officer) are:

a) Approved.

Approved in total.

b) Approved with the following modifications:

(1) The following findings of fact are added/deleted:

(2) The following findings of fact are modified as follows:

(3) The following recommendations are added/deleted

(4) The following recommendations are modified as follows:

(5) The action recommended in recommendation _____ has been accomplished by _____

(6) Recommendation(s) _____ is not appropriate for action by this command. however, a copy of this investigation is being furnished to _____ for such action as deemed appropriate.

c) Disapproved.

d) The report is (incomplete), (ambiguous), (erroneous) and/or (specify deficiency) with respect to _____

It is, therefore, hereby returned to the IO for corrective action as follows _____

(b)(3), 10 U.S.C. § 130b) (b)(6)

(Approving Authority)

(b)(3)(10 U.S.C. § 130b), (b)(6)

From:

(b)(3)(10 U.S.C. § 130b), (b)(6)

Sent:

Monday, August 30, 2021 2:35 AM

To:

@GO

Cc:

@OP ADDER STRIKE ALL; @JPT; @JSOC-FLO.FVEY; @TF PAOs;

(b)(3)(10 U.S.C. § 130b), (b)(6)

(b)(3)(10 U.S.C. § 130b), (b)(6)

Subject:

(U) Awareness: CENTCOM CIVCAS Statement

Classification: UNCLASSIFIED

Message Body Classification: UNCLASSIFIED

Sir and Leaders,

CENTCOM just released the following on this morning's ISIS strike

"We are aware of reports of civilian casualties following our strike on a vehicle in Kabul today. We are still assessing the results of this strike, which we know disrupted an imminent ISIS-K threat to the airport. We know that there were substantial and powerful subsequent explosions resulting from the destruction of the vehicle, indicating a large amount of explosive material inside that may have caused additional casualties. It is unclear what may have happened, and we are investigating further. We would be deeply saddened by any potential loss of innocent life."

v/r

(b)(3)(10 U.S.C. § 130b), (b)(6)

Message Body Classification: UNCLASSIFIED

Classification: UNCLASSIFIED

Page 32 redacted for the following reason.

(b)(1)1.4a, (b)(3) (10 U.S.C. § 130b), (b)(5), (b)(6)

Approved for Release

Page 33 redacted for the following reason.

(b)(5), (b)(6)

Approved for Release

(b)(1)1.4(a)

From:
Sent:
To:

(b)(1)1.4(a), (b)(3)(10 U.S.C. § 130b), (b)(6,

Cc:

Subject:

Attachments:

(b)(1)1.4(a) KABUL // 29 AUG 2021
S2 POSS ACCELERANTS.pdf

Classification: SECRET//REL TO USA, FVEY

Message Body Classification: SECRET//REL TO USA, FVEY

Classification: SECRET//REL TO USA, FVEY

Message Body Classification: SECRET//REL TO USA, FVEY

*****INITIAL / FINAL REPORT*****

ALCON,

This report meets the following criteria:

- **USFOR-A FWD CCIR #7: Any known or suspected CF/Afghan CIVCAS event or LOAC violation/war crime**
- **(b)(1)1.4(a) HQ CCIR #7: Any known or suspected CF/Afghan CIVCAS event or LOAC violation/war crime**

BLUF: (b)(1)1.4(a) conducted a kinetic strike in (b)(1)1.4(a) Kabul in support of US Forces' inherent right to self-defense against 2x enemy combatants planning and facilitating a VBIED attack against HKIA, resulting in **2x EKIA, 1x vehicle with internal explosive material destroyed, and up to 3x potential CIVCAS.**

WHO: (b)(1)1.4(a)

WHAT (b)(1)1.4(a) received multiple reports through (b)(1)1.4(a) that an attack against HKIA was imminent. (b)(1)1.4(a) observed a (b)(1)1.4(a) which was being delicately loaded with unknown materials. After continued observation and additional (b)(1)1.4(a) (b)(1)1.4(a) conducted a K/S in support of US Forces' inherent right to self-defense, (b)(1)1.4(a) the vehicle carrying what was assessed to be (b)(1)1.4(a) (b)(1)1.4(a) observed a large (b)(1)1.4(a) immediately following the K/S, confirming the (b)(1)1.4(a) Following, (b)(1)1.4(a) observed open source reports in the media stating the strike caused CIVCAS.

WHEN: 29 (b)(1)1.4(a) AUG 21

WHERE: (b)(1)1.4(a) KABUL // (b)(1)1.4(a) ← **1.5 Km West of HKIA**

Amplifying Information:

responsible for the 26AUG21 attack at HKIA, which resulted in 14 US KIA, had clear intent to perpetuate a follow on complex attack at HKIA.

On 29AUG21 (b)(1)1.4(a) identified key locations of interest within Kabul (b)(1)1.4(a) and established (b)(1)1.4(a) as an assessed bed down location. At (b)(1)1.4(a) 1x white sedan (S1) internal to (b)(1)1.4(a) exited dynamic south (b)(1)1.4(a). At (b)(1)1.4(a) 1x white sedan (S2) arrived to (b)(1)1.4(a) interacted with (b)(1)1.4(a) proceeded dynamic south (b)(1)1.4(a). At (b)(1)1.4(a) S1 (b)(1)1.4(a) arrived at a compound (b)(1)1.4(a) and moved internal. At (b)(1)1.4(a) S2 picked up (b)(1)1.4(a) and moved dynamic south (b)(1)1.4(a) to (b)(1)1.4(a) where (b)(1)1.4(a) went internal.

At (b)(1)1.4(a) (b)(1)1.4(a) unloaded S2's trunk, while (b)(1)1.4(c) the cell leader was dropping off supplies. At (b)(1)1.4(a) (b)(1)1.4(a) indicated an ISIS-K associate secured a motorcycle, and at (b)(1)1.4(a) a motorcycle (b)(1)1.4(a) arrived to (b)(1)1.4(a) before proceeding to (b)(1)1.4(a). At (b)(1)1.4(a) S1 (b)(1)1.4(a) and motorcycle (b)(1)1.4(a) arrive at (b)(1)1.4(a) before moving dynamic S and returning to (b)(1)1.4(a). At (b)(1)1.4(a) (b)(1)1.4(a) carefully loaded S2 with and departed (b)(1)1.4(a) dynamic north from (b)(1)1.4(a).

At (b)(1)1.4(a) S2 dropped off (b)(1)1.4(a) at (b)(1)1.4(a) and (b)(1)1.4(a) at (b)(1)1.4(a) S2 (b)(1)1.4(a) moved dynamic across Kabul in assessed attempt to evade (b)(1)1.4(a). At (b)(1)1.4(a) S2 arrived to (b)(1)1.4(a) and backed into an open air garage. (b)(1)1.4(a) and (b)(1)1.4(a) (b)(1)1.4(g) assessed a total (b)(1)1.4(a) of (b)(1)1.4(a) internal to S2 and (b)(1)1.4(a) external to vehicle.

Based upon the totality of information at the time (b)(1)1.4(a) reached reasonable certainty that the vehicle was being driven by an ISIS-K member, who was facilitating an attack against HKIA. (b)(1)1.4(c) as previously discussed, included: 26AUG21 (b)(1)1.4(a) at HKIA (b)(1)1.4(c) observation of (b)(1)1.4(a) at established NAIs associated with ISIS-K attack facilitation; and (b)(1)1.4(c) establishing a reported cell leader and associates with the vehicle of interest.

Accordingly, the (b)(1)1.4(a) assessed that the vehicle posed an imminent threat, whose destruction would protect the lives of US Forces at HKIA. The (b)(1)1.4(a) took all necessary measures to mitigate collateral through its (b)(1)1.4(a) as well as waiting for the (b)(1)1.4(a) to be clear of any women and children. The (b)(1)1.4(a) subsequently conducted 1x K/S in support of US Forces' inherent right to self-defense, resulting in **2x EKIA, 1x vehicle with internal explosive material destroyed, and up to 3x Potential CIVCAS.**

Upon observing open source media reports stating that potential CIVCAS may have occurred, the (b)(1)1.4(a) immediately conducted an internal review of its procedures and assessed whether the strike resulted in potential CIVCAS. Through review of (b)(1)1.4(a) the (b)(1)1.4(a) assesses up to 3x Potential CIVCAS.

As stated, intel suggested that facilitation and actual attack on HKIA was imminent. Given the timing of the previous attack, conversations heard through (b)(1)1.4(c) suggesting timing of a new attack, and timing of US Forces retrograde from HKIA, (b)(1)1.4(a) assessed such an (b)(1)1.4(a) could happen at any time. There were no limitations in place for conducting strikes within Kabul, and the inherent right to self-defense was not further limited. (b)(1)1.4(a) observed the vehicle in question with multiple sensors, did not observe any collateral at the time of strike, and relayed slants to the TEA throughout duration of the strike. (b)(1)1.4(a) observed immediate secondaries after strike. Given the high likelihood and imminence of an attack, the resulting military necessary/advantage, and distinguishing of individuals in the strike area, (b)(1)1.4(a) conducted a K/S in self-defense of US Forces' at HKIA. Accordingly, the strike is consistent with the laws of armed conflict and the standing rules for engagement.

(b)(1)1.4(a), (b)(1)1.4(g)
(b)(1)1.4(a)

b 1 1.4(a)

(b)(1)1.4(a)

ASSETS:

(b)(1)1.4(a)

Actions Taken and Way Ahead:

- (b)(1)1.4(a) verbally notified chain of command of potential CIVCAS allegations.
- (b)(1)1.4(a) conducted an internal after action review on the facts and circumstances surrounding the strike.
- (b)(1)1.4(a)
- (b)(1)1.4(a) is standing by to provide additional information and reflections from the strike as necessary.

(b)(6) (b)(3)(10 U.S.C. § 130b), (b)(1)1.4(a)

Paint the Picture

Leading up to 29 August 2021, the body of (b)(1)1.4c that ISIS-K intended to execute another high profile attack (HPA) against U.S. personnel and equities at Hamid Karzai International Airport (HKIA), Kabul City, Afghanistan.

(b)(1)1.4(a) specifically stated that ISIS-K militants would very likely dispatch a suicide attacker for an operation against almost certainly HKIA in Kabul on 29 August 2021. Reporting also illuminated ISIS-K's intended method of employment, with (b)(1)1.4(a) indicating that the ISIS-K ground force commander would travel in a white Corolla to film the attack while fighters, to include a suicide bomber referenced in (b)(1)1.4(a) would move via motorcycle to a dismount point at HKIA to implement the attack, per (b)(1)1.4(a)

Other (b)(1)1.4c that contributed to the planned attack's imminence includes (b)(1)1.4(a) which reported the blindfolding and movement of two suicide bombers to Kabul on 27 August 2021, (b)(1)1.4(a) which described ISIS-K's prioritized attack focus on Americans at HKIA and the detailed inventory of equipment circulated throughout Kabul, and (b)(1)1.4(a) which further elaborated on ISIS-K's available explosive material and need for unspecified items.

Additionally, (b)(1)1.4(a) reported that the overall ISIS-K HPA planner directed the ground force commander and assessed suicide bomber to stay at a bed down location 6km west of HKIA (designated Target Area of Interest) (b)(1)1.4(a) identifying the exact location of the BDL on a map.

Finally, (b)(1)1.4(a) reported ISIS-K attack facilitator planned to use rockets on timers in the back of a vehicle. An additionally report, (b)(1)1.4(a) informed associate they had explosives, and IED materials.

Given the veracity of previous (b)(1)1.4c, corroborated against the observed events from the 26 August 2021 HPA (b)(1)1.4(a) Strike Cell alerted ground elements at HKIA of an impending attack and stacked assets against the contextual references included in reporting. Specifically, (b)(1)1.4(a) (b)(1)1.4(a) used (b)(1)1.4(a) as a start point and conducted reconnaissance

to report on key ISIS-K threat indicators referenced in reporting, to include the presence of a white Toyota Corolla, movement of materiel, the presence of a motorcycle paired with either (b)(1)3.4(a) or a white Corolla, and all male slants active outside normal Kabul pattern of life.

Asset:

(b)(1)1.4(a) Collateral
 (b)(1)1.4(a) Strike Cell assets meeting of (b)(1)1.4(a) at (b)(1)1.4(a) with Sedan 1
 dan 2
 (b)(1)1.4(a) observed under sensor, white vehicle (POSS corolla – S1) static
 (b)(1)1.4(a) follows S1 (b)(1)1.4(a) dynamic S
 Additional white sedan (S2) arrives to (b)(1)1.4(a) interacts with (b)(1)1.4(a) receives
 (b)(1)1.4(a) follows dynamic S at (b)(1)1.4(a)
 S1 arrives at (b)(1)1.4(a) moves internal to courtyard.
 S2 arrives at (b)(1)1.4(a) picks up (b)(1)1.4(a) carrying bag, departs dynamic N,
 (b)(1)1.4(a) followed by (b)(1)1.4(a)
 S2 arrives at building enroute, goes internal to parking garage at Mubarak
 Mall, (b)(1)1.4(a) slows to (b)(1)1.4(a)
 S2 arrives at (b)(1)1.4(a) exit and go internal to house.
 (b)(1)1.4(a) departs (b)(1)1.4(a) and walks dynamic E
 (b)(1)1.4(a) returns to (b)(1)1.4(a) with bag.
 (b)(1)1.4(a) enter S2 trunk at (b)(1)1.4(a) and unload bags/jugs.
 (b)(1)1.4(a) follows S2 (b)(1)1.4(a) dynamic W to international zone
 S2 static (b)(1)1.4(a) enter office building
 (b)(1)1.4(c)
 motorcycle arrives at (b)(1)1.4(a)
 S1 departs (b)(1)1.4(a)
 (b)(1)1.4(a) follows S2 dynamic W from office building (b)(1)1.4(a)
 S2 stops at TB checkpoint, (b)(1)1.4(a) move internal
 (b)(1)1.4(a) return to S2, departs TB checkpoint dynamic N (b)(1)1.4(a)
 S1 and motorcycle collocated at bus stop (retroactively named (b)(1)1.4(a))

S2 returns to (b)(1)1.4(a) parks internal, (b)(1)1.4(a) move internal to compound

Maintains Fidelity of (b)(1)1.4(a)

S2 is at (b)(1)1.4(a) with open trunk

motorcycle 2 arrives at (b)(1)1.4(a)

S2 Sedan loaded with unk. equipment, departs (b)(1)1.4(a) with slant of (b)(1)1.4(a)

(b)(1)1.4(a) melds with (b)(1)1.4(c) tracks S2 dynamic E

S2 drops of (b)(1)1.4(a) passenger at (b)(1)1.4(a) moves dynamic N drives by (b)(1)1.4(a) (b)(1)1.4(a)

(b)(1)1.4(a) (b)(1)1.4(c) S2 drops of (b)(1)1.4(a) passenger N of (b)(1)1.4(a)

(b)(1)1.4(a) melds with (b)(1)1.4(a) tracks S2

S2 drops of (b)(1)1.4(a) passenger at (b)(1)1.4(a)

(b)(1)1.4(c) implies imminence of attack on HKIA with updated
tion levels

S2 arrives at (b)(1)1.4(a) backs into open air garage. Total observed slant (b)(1)1.4(a)
to S2 and (b)(1)1.4(a) external to vehicle, closing garage gate

CLEARED HOT

STRIKE. (b)(1)1.4(a) shooter, (b)(1)1.4(a) observers

Page 41 redacted for the following reason

(b)(1) 4a, (b)(1) 4c, (b)(1) 4g

Approved for release

Page 42 redacted for the following reason

(b)(1) 4a, (b)(1) 4g

Approved for release

Page 43 redacted for the following reason

(b)(1) 4a, (b)(1) 4g

Approved for release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301, Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION (b)(1)1.4a JOC	2. DATE (YYYYMMDD) 20210831	3. TIME 1400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS (b)(1)1.4a (b)(1)1.4(a) AUAB			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Role: (b)(1)1.4(a), responsible for managing JOC floor operations and informing Commander with current operational assessments and updates related to Kinetic Strikes

29 AUG 21 observations: The JOC team maintained a soak of numerous Targeted Areas of Interest (TAI) and the specific vehicle (S2) for approx. 8 hours (b)(3) 50 USC 3024(i), (b)(1)1.4g. Throughout the day we observed the S2 vehicle move between (b)(1)1.4(a),

(b)(3) 50 USC 3024(i), (b)(1)1.4a, (b)(1)1.4g

Soak time S2 was under continuous (b)(1)1.4a (b)(1)1.4g (b)(3) 50 USC 3024(i) on 29 AUG. The strike location was observed for a few minutes while maneuvering assets into strike posture. The S2 vehicle had been dynamic, making erratic (possibly evasive technique from (b)(1)1.4(a), (b)(1)1.4(g) It arrived at the strike location and quickly began to back into a garage, assisted by a 2nd (b)(1)1.4a

Sensors: (b)(3) 50 USC 3024(i), (b)(1)1.4a (b)(1)1.4g was primary shooter focused on S2 as the target as it had parked internal to an open air garage/courtyard (b)(3) 50 USC 3024(i) provided collateral scans external to the garage courtyard, looking north and south down the street.

Slants: At the time of the strike (b)(3) 50 USC 3024(i), (b)(1)1.4a internal to S2 vehicle and (b)(1)1.4a in the courtyard (b)(1)1.4(a) who opened gate to let vehicle back in)

Collateral: At least (b)(1)1.4(a) was observed in the street, assessed unrelated to the S2 vehicle. After "Rifle 20 seconds" was called all slant calls remained consistent. I was first notified of potential CIVCAS by the (b)(3) 50 USC 3024(i), (b)(1)1.4a approx. 20 min post strike who received a call from the GET regarding the strike.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(6) TAKEN AT AUAB DATED 20210831

9. STATEMENT (Continued)

Secondary Explosions Clearly observed a large secondary explosion approx. 1 second after the initial (b)(1), 4a impact explosion. Significantly larger than any vehicle strike I have observed previously.

Additional note S2 Vehicle had been driven around Kabul throughout the day without observed refueling (dozens of Kilometers observed driving) No refueling of the vehicle was observed. My assessment is that car's fuel tank was relatively empty and the remaining fuel was not a primary cause of the secondary explosion.

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6) TAKEN AT AUAB DATED 20210831

U. STATEMENT (Continued)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of AUGUST, 2021 at AUAB

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

(b)(6)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is PMG

PRIVACY ACT STATEMENT

AUTHORITY. Title 10, USC Section 3071, Title 5, USC Section 2951 E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE To document potential criminal activity involving the U.S. Army and to allow Army officials to maintain discipline law and order through investigation of complaints and incidents

ROUTINE USES. Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies prosecutors courts child protective services victims witnesses the Department of Veterans Affairs and the Office of Personnel Management Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions

DISCLOSURE: Disclosure of your SSN and other information is voluntary

1. LOCATION Al Udeid Air Base, Qatar	2. DATE (YYYYMMDD) 20210902	3. TIME 0808	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS (b)(1), 4a			

I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

My name is (b)(6) and while deployed to the (b)(1), 4a served as (b)(6)

(b)(6) It is my responsibility to give the airborne assets sensor tasking and inform the Processing, Exploitation, and Dissemination (PED) crews of the Essential Elements of Information (E-PI's) that they must watch and report on. Leading up to a kinetic strike, I pass control of the airborne asset to the Joint Terminal Attack Controller (JTAC) entity, but retain control of tasking the PED crew during the strike.

Upon the start of my shift, we were monitoring a Targeted Area of Interest (TAI). A vehicle parked at that TAI departed and we followed it to another compound. By association, this new location, two additional vehicles, and follow-on locations associated with those vehicles also became areas of interest. Throughout the period of collection, we observed the vehicles of interest transit around southern and western Kabul, make various stops, and pick up and drop off various adult males, some of which were observed carrying bags or other box-shaped objects.

(b)(1), 4a, (b)(1), 4g

At the time of the strike, three sensors were on the sedan, though one of those was not under our control. Leading up to that point, four sensors had been on the sedan for the course of the follow, but one of those was not under our control and another was swapped off due to a maintenance issue with the aircraft. At any one time, two to three sensors maintained custody of the vehicle.

At the time of departure, another asset was monitoring the Compound of Interest (COI) and reported that items had been loaded into the trunk and that at least four adult males had entered the sedan. During the follow leading up to the strike, the sedan made several stops and dropped off one adult male at each. Just prior to the strike, the (b)(1), 4a of the vehicle was reported as (b)(1), 4a in the vehicle and (b)(1), 4a in the immediate area in mIRC by the PED crew. This was relayed verbally by me to the TEA as an answer to their question regarding the current SLANT.

The area around the strike appeared to be dense compounds, but I did not observe any immediate collateral going into the strike. Post strike I was already focused on passing updated guidance to the sensors and did not observe any collateral. I first heard of the possibility of CIV CAS when the GET messaged me and informed me there may have been a child present.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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STATEMENT OF (b)(6) TAKEN AT 0808 DATED 20210902

9 STATEMENT (Continued)

Upon receiving that message and once I had passed updated tasking to the sensors, I conducted a hasty review and noted movement within the compound walls, but was unable to determine the age or gender of any personnel due to a lack of quality in the feed and a requirement for my attention to remain on the active mission. I passed the GET's assessment of a possible child being present to the Chief of Operations.

There did appear to be a secondary explosion after the initial impact and explosion of the (b)(1) 4a, however, I am unable to determine if it was the gas tank of the vehicle, the way the head may have ballooned from being confined within the walls of the compound area, or if there was explosive material internal to the vehicle.

(b)(1) 4a (b)(1) 4c (b)(1) 4d

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6) TAKEN AT 0808 DATED 20210902

9. STATEMENT (Continued)

AFFIDAVIT

I, (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 3 OF 3 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45, the proponent agency is PMG

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301 Title 5, USC Section 2951 E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army and to allow Army officials to maintain discipline law and order through investigation of complaints and incidents

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary

1. LOCATION Al Udeid Airbase, Qatar	2. DATE (YYYYMMDD) 20210831	3. TIME 2249	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION OR ADDRESS (b)(6)			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I am the (b)(6) | I am in charge of coordinating post-strike messaging and Social Media Over-watch IOT provide atmospheric and visual aids if provided by bystanders, journalists, or terrorists. On 29 August 2021, I witnessed a synchronized effort by the Intelligence Community, Targeteers, Joint Tactical Air Controllers, and all officers in the Joint Operations Center. Every movement and every update from the intelligence community was repeated out loud for everyone in the JOC to understand the current situation and what we had knowledge on. These facts helped the commander make his assumptions on the next move of the enemy and everyone was updated at a minimum every thirty minutes in a huddle. Guidance would be given after our situational awareness was leveled and we would continue to monitor. We followed three different vehicles and multiple assailants throughout the day, all with intent on attacking civilians and US Forces on Hamid Karzai International Airport. As the vehicle carrying explosives entered a parked location, I assess the Commander perceived the location to be the opportune time to hit a vehicle carrying lethal aid and assailants willing to use them. Throughout the day the vehicle had been consistently surrounded by other vehicles and civilians, once the vehicle stopped moving, I assess the Commander and all working equities used their best judgment, we had an opportunity to defend innocent lives without taking the risk of shooting at a moving target. (b)(6) consistently was on the phone with Major General Donahue providing updates right before updating the JOC at the 30 minute sync. I recall two assets at any given soaking the target for full picture and redundancy. As the vehicle parked I recall seeing someone close the gate behind the vehicle and someone walking in the courtyard, I personally believed this to be a likely staging location and the moving personnel to likely be apart of the overall attack plot that was my perception and it was largely based on both someone immediately shutting the gate behind the vehicle and someone running in the courtyard. When the vehicle was struck, the explosion was massive. The effect of the strike was clearly larger than the munition used would cause. I know that because I have seen close to 1,000 strikes in 15 months deployed. The explosions continued to rise much higher than the surrounding buildings and were amplified by clear secondary explosions. Conducting Social Media Over-watch, I initially saw twitter posts reporting explosions, and then rocket attacks. That followed by videos of smoke and people running to put out the fire that eventually ensued. A few hours later a journalist (a Muslimshirzad) began reporting on twitter, that there were civilian casualties and that some of them were children. I assess due to the large secondary explosions that the children and civilians (if the adults were civilians) were killed by overpressure. The munition would not have killed them if the vehicle was not loaded with large amounts of explosives. I saw images of the dead on Social Media, they were not burnt, and that is why my personal conclusion for cause of death was overpressure. The precision strike hit a legitimate threat that intended to kill 10s if not 100s of Afghans and US Forces like they had just done, 3 days prior on 26 August 2021. I felt confident that we made the right decision and in turn saved countless lives.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF	PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

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STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

PAGE _____ OF _____ PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT (Continued)

AFFIDAVIT

(b)(6), _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE _____ OF _____ PAGES

SWORN STATEMENT

For use of this form, see AR 190-45 the proponent agency is PMG

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army and to allow Army officials to maintain discipline law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1 LOCATION Qatar, (b)(1),4(a)	2 DATE (YYYYMMDD) 20210905	3 TIME 1430	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME (b)(6)	6 SSN (b)(6)	7 GRADE/STATUS (b)(6)	
8 ORGANIZATION OR ADDRESS (b)(1),4(a)			
9 I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH			
<p>Leading up to 29 August 2021, the body of (b)(1),4(c) that ISIS-K intended to execute another high profile attack (HPA) against U.S. personnel and equities at Hamid Karzai International Airport (HKIA), Kabul City, Afghanistan (b)(1),4(a), (b)(1),4(c) specifically stated that ISIS-K militants would very likely dispatch a suicide attacker for an operation against almost certainly HKIA in Kabul on 29 August 2021. Reporting also illuminated ISIS-K's intended method of employment, (b)(1),4(a), (b)(1),4(c) indicating that the ISIS-K ground force commander would travel in a white Corolla to film the attack while fighters, to include a suicide bomber referenced in (b)(1),4(a), (b)(1),4(c), would move via motorcycle to a dismount point at HKIA to implement the attack, per (b)(1),4(a), (b)(1),4(c).</p> <p>Other (b)(1),4(c) that contributed to the planned attack's imminence includes (b)(1),4(a), (b)(1),4(c), which reported the blindfolding and movement of two suicide bombers to Kabul on 27 August 2021, (b)(1),4(a), (b)(1),4(c) which described ISIS-K's prioritized attack focus on Americans at HKIA and the detailed inventory of equipment circulated throughout Kabul, (b)(1),4(a), (b)(1),4(c), which further elaborated on ISIS-K's available explosive material and need for unspecified items. Additionally, (b)(1),4(a), (b)(1),4(c) reported that the overall ISIS-K HPA planner directed the ground force commander and assessed suicide bomber to stay at a bed down location 6km west of HKIA (designated Target Area of Interest, (b)(1),4(a) identifying the exact location of the BDL on a map.</p> <p>Finally, (b)(1),4(a), (b)(1),4(c) reported ISIS-K attack facilitator planned to use rockets on timers in the back of a vehicle. An additionally report, (b)(1),4(a), (b)(1),4(c) informed associate they had explosives, and IED materials. Observed loading of unknown equipment, into S2 trunk before departing (b)(1),4(a), with (b)(1),4(a) LW melds and tracks S2 dynamic E.</p> <p>Given the veracity of previous (b)(1),4(c) corroborated against the observed events from the 26 August 2021 HPA, (b)(1),4(a) alerted ground elements at HKIA of an impending attack and stacked assets against the contextual references included in reporting. Specifically, (b)(1),4(a) used (b)(1),4(a) as a start point and conducted reconnaissance to report on key ISIS-K threat indicators referenced in reporting. We observed the presence of a white Toyota Corolla, movement of materiel, the presence of a motorcycle IVO (b)(1),4(a) and all male slants.</p>			
FMV Timeline			
White sedan (S2) arrives to (b)(1),4(a) interacts with (b)(1),4(a) receives bag, (b)(1),4(g) follows dynamic S at (b)(1),4(a)			
S2 arrives at (b)(1),4(a) picks up (b)(1),4(a) carrying bag, departs dynamic N, then (b)(1),4(a) followed by (b)(1),4(g).			
S2 goes internal to parking garage at Muharak Center Mall, (b)(1),4(g) slews to (b)(1),4(a).			
(b)(1),4(a) S2 arrives at (b)(1),4(a) exit and go internal to house.			
(b)(1),4(a) enter S2 trunk at (b)(1),4(a) and unload bags/jugs.			
(b)(1),4(g) follows S2 (b)(1),4(a) dynamic W to international zone.			
S2 static, (b)(1),4(a) enter office building			
10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT (b)(6)		PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND PAGE NUMBER MUST BE INDICATED

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STATEMENT OF (b)(6) TAKEN AT 14:30 DATED 20210905

9 STATEMENT (Continued)

(b)(1)1.4 follows S2 dynamic W from office building (b)(1)1.4(a)

S2 stops at TB checkpoint, (b)(1)1.4 move internal.

S2 returns to (b)(1)1.4(a) parks internal, (b)(1)1.4 move internal to compound. Partner asset maintains fidelity.

S2 loaded with unknown equipment, departs (b)(1)1.4(a) with (b)(1)1.4a melds and tracks S2 dynamic L.

S2 drops of (b)(1)1.4(a) passenger at (b)(1)1.4(a) moves dynamic N and drives directly by (b)(1)1.4(a)

(b)(1)1.4(a) S2 drops off (b)(1)1.4(a) passenger N of (b)(1)1.4(a)

(b)(1)1.4 melds with (b)(1)1.4 tracks S2

S2 drops of (b)(1)1.4(a) passenger at (b)(1)1.4(a)

S2 arrives at (b)(1)1.4(a), backs in Reported (b)(1)1.4a internal to S2 and (b)(1)1.4 external to vehicle

CLEARED HOT

STRIKE (b)(1)1.4 shooter (b)(1)1.4 and partner asset observe

*****Nothing Follows*****

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9 STATEMENT (Continued)

AFFIDAVIT

I, _____ (b)(6) _____ HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6)

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____ at _____

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 3 OF 4 PAGES

SWORN STATEMENT

For use of this form, see AR 190-45. The proponent agency is PMG

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301 Title 5 USC Section 2951 E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army and to allow Army officials to maintain discipline law and order through investigation of complaints and incidents

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION (b)(1), 1.4a JOC	2. DATE (YYYYMMDD) 20210905	3. TIME 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(8)	6. SSN (b)(6)	7. GRADE/STATUS (b)(8)	
8. ORGANIZATION OR ADDRESS (b)(1), 1.4a (b)(1), 1.4(a) AUAB			

9. I, (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

Role: I currently serve as the (b)(6) (b)(1), 1.4(a) In this role, I provide the Ground Force Commander (GFC) with real-time Collateral Damage Estimations (CDE), weaponizing recommendations, and post-strike reports.

Scenario: On 29 AUG 21, JOC personnel were soaking Targeted Areas of Interest (TAIs) and a white sedan (S2) in/around the Kabul area. This vehicle was followed by (b)(1), 1.4g to (b)(1), 1.4(a) all of which our Intelligence Cell believed to be nefarious. We followed S2 with a (b)(1), 1.4a as it began to drop off adult males in downtown Kabul. As S2 arrived to its final location, we observed a (b)(1), 1.4a internal to the vehicle. As S2 began backing into the courtyard, GFC put (b)(1), 1.4a into strike posture with (b)(1), 1.4a overhead as the collateral sensor.

GFC Intent: Throughout the day, GFC mentioned multiple times that the intent was to destroy S2 if it came within proximity of U.S. Forces at HIKIA. He came to this conclusion after the loading/unloading of nefarious equipment in and out of S2 during our extensive soak time, along with other intelligence provided by our (b)(1), 1.4a counterparts.

Collateral: For this kinetic strike we arrive at a 3m CFR at CDE Level 4 because we used a (b)(1), 1.4g and assessed all civilian PAX were internal when cleared hot. This means the (b)(1), 1.4g thus killing the (b)(1), 1.4a internal and destroying the vehicle itself. The JIAC and myself chose this option over a point detonation fusing because frag to personnel was a main concern while S2 traveled down an urban Kabul alley and into the compound courtyard. Point detonation would have also achieved GFC intent, but the (b)(1), 1.4a would have detonated upon contact with the roof, thus sending bomb fragments in all directions. For a point detonation fusing, we'd use the (b)(1), 1.4g. This clearly shows that delaying the (b)(1), 1.4g is the best option to achieve GFC intent and mitigate damage to collateral objects.

Strike: When (b)(1), 1.4a was cleared hot, S2 had just backed into a compound courtyard which looked to have no collateral. I observed the (b)(1), 1.4g achieved bomb burial followed by large secondary explosions. It wasn't until about 25 minutes after the strike that I was alerted CIVAS were masked in the courtyard when the strike was taken.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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STATEMENT OF (b)(6) TAKEN AT AUAB DATED 20210905

9 STATEMENT (Continued)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1 01ES

STATEMENT OF (b)(6) _____ TAKEN AT AUAB DATED 20210905

9 STATEMENT (Continued)

AFFIDAVIT

I, (b)(6) _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

(b)(6)

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 05 day of SEPTEMBER, 2021 at AUAB

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

Page 59 redacted for the following reason

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

Approved for release

Page 60 redacted for the following reason

(b)(1) 4a, (b)(1) 1.4g

Approved for release

Page 61 redacted for the following reason

1) 1.4(a)

Approved for release



~~SECRET//REL TO USA, FVEY~~

(b)(1)1.4(a)

(b)(1)1.4(a)

6 September 2021

MEMORANDUM FOR RECORD

SUBJECT: ~~(S//REL)~~ Summary of Interview — (b)(6)

1. ~~(S//REL)~~ On 1 September 2021, I interviewed (b)(6) in person. I conducted the interview in support of the Civilian Casualty (CIVCAS) Credibility Assessment Report (CCAR) required by CENTCOM surrounding the CIVCAS claims associated with a strike against an ISIS-K suicide bomber in Kabul on 29 August 2021. The focus of my interview was to determine the following: the reason the strike cell targeted the specific vehicle targeted on 29 August; the connection between a separate operation targeting (b)(1)1.4a, (b)(1)1.4c and the strike in Kabul; and the reason for striking the target when it parked at the compound.

2. ~~(S//REL)~~ (b)(6) stated that after the ISIS-K suicide vest detonated in the crowd at the Abbey Gate of Hamid Karzai International Airport (HKIA), he was ordered Admiral Vasely, the USFOR-A Commander to specifically identify ISIS-K targets associated with threats against Kabul and HIKA. With a lack of credible intelligence available, (b)(6) returned to collecting against known and suspected ISIS-K enemy locations and compounds of interest in both Kabul and Nangahar, Afghanistan. The Operation against (b)(1)1.4a, (b)(1)1.4c was still fresh from having submitted a target packet and request to strike only a few days prior. The initial decision not to strike (b)(1)1.4a, (b)(1)1.4c came two days before the attack at HKIA. (b)(6) did not recall the exact reason for not conducting a lethal strike on (b)(1)1.4a, (b)(1)1.4c before 27 AUG 21. After the lethal strike on (b)(1)1.4a, (b)(1)1.4c special intelligence (SI) indicated that two ISIS-K operational commanders in Kabul discussed the death of (b)(1)1.4a, (b)(1)1.4c The

(b)(1)1.4a, (b)(1)1.4g

3. ~~(S//REL)~~ (b)(6) detailed the (b)(1)1.4(a) (b)(1)1.4(g) and the known enemy compounds of interest, including the historical data associated with the various compounds in western Kabul. Specifically, the proximity of ISIS-K activity to the compound known as Targeted Area of Interest (b)(1)1.4(a) (b)(1)1.4(a) produced high confidence material that provided an exact location for an ISIS-K meeting to begin an operation against the U.S. Forces in HKIA. Importantly, this is early morning on 29 August, only days after the deadly attack that killed 13 Americans and up to 160

~~SECRET//REL TO USA, FVEY~~

(b)(1)1.4(a)

SUBJECT: (CUI) Summary of Interview – (b)(6)

Afghans. (b)(6) stated that the (b)(1)1.4(a), (b)(1)1.4(b) provided abundant detailed information about the planning and execution of a subsequent attack on U.S. Forces at HKIA. The

(b)(6) (b)(1)1.4c (b)(1)1.4g

motorcycle. (b)(6) then described, without notes, the sequence of events to include numbered compounds (TAI's) and vehicles associated with following the white Toyota Corolla throughout the day.

4. (S//REL) (b)(6) detailed the specific concerns associated with the (b)(1)1.4(a), (b)(1)1.4(b) that indicated an imminent attack upon U.S. Forces at HKIA. The (b)(1)1.4(a), (b)(1)1.4(b) indicated that

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g The driver continued to drive a surveillance detection route throughout Kabul. The driver in the white Toyota Corolla transported multiple people, bags, equipment, and cargo throughout the city. The white Toyota Corolla was at one point gingerly loaded with a box carried by five adult males. The (b)(1)1.4(a), (b)(1)1.4(b) continued to describe the actions taken by the driver in the white Toyota Corolla. (b)(6) also indicated that the (b)(1)1.4(a), (b)(1)1.4(b) provided details that the motorcycle

(b)(1)1.4c, (b)(1)1.4g

5. (S//REL) (b)(6) stated that the planned suicide attack against HKIA was one

(b)(1)1.4(a), (b)(1)1.4(g)

(b)(6), (b)(1)1.4(a), (b)(1)1.4(g) mentioned that after the strike on 29 August, the same ISIS-K operations cell fired rockets into HKIA. The rockets were fired less than 200 meters away from the original ISIS-K compound, (b)(1)1.4(a)

6. (S//REL) During the interview (b)(6) stated that his main concern with the white Toyota Corolla was the imminence of an attack on HKIA. He further stated that he originally sought to strike the target with a X-model Hellfire missile in Kabul to mitigate the explosive collateral, but was unable to get to a suitable solution due to the crowded population in Kabul. He further identified a known method to mitigate civilian casualties by attempting to strike the vehicle when it was stationary, instead of moving. (b)(6) also worked with his team to develop a weapons solution that would mitigate collateral effects by using a delayed fuse. It is upon this setting that the Strike Cell continued to follow the white Toyota Corolla and prepared to strike. (b)(6) indicated that the vehicle pulled into a compound. The (b)(1)1.4(a) achieved reasonable certainty

(b)(1)1.4(a)

SUBJECT: (CUI) Summary of Interview – (b)(6)

for the strike and met all six pillars of strike posture to request a lethal strike from the Ground Force Commander, MG Chris Donahue.

7. (S//REL) (b)(6) noted that at the time of the decision to strike several key senior leaders were present. MG Chris Donahue was located in Kabul and acting as the Ground Force Commander with the ultimate Target Engagement Authority and well within his rights to declare the target hostile to protect the force. Rear Admiral Pete Vasely, the USFOR-A Forward Commander, and (b)(6), (b)(3)(10 U.S.C. § 130b) the (b)(1)1.4(a) Commander, were both present in the Strike Cell at the time of this decision. MG Donahue gave (b)(6) the authorization to fire. Following that authorization, (b)(6) ordered weapons release.

8. (U) Point of contact for this memorandum is the undersigned at (b)(6), (b)(3), (10 U.S.C. § 130b)
(b)(6), (b)(3) (10 U.S.C. § 130b)

Encl.
Photograph

(b)(6), (b)(3) (10 U.S.C. § 130b)

Page 65 redacted for the following reason.

(b)(6), (b)(1)1.4a

Approved for Release

SWORN STATEMENT

For use of this form see AR 190-45 the proponent agency is PMG

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301, Title 5 USC Section 2951 E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army and to allow Army officials to maintain discipline law and order through investigation of complaints and incidents

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary

1 LOCATION Fort Bragg, North Carolina	2 DATE (YYYYMMDD) 20210908	3 TIME 1200	4 FILE NUMBER
5 LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(3) (10 U.S.C. § 130b)	6 SSN (b)(6)	7 GRADE/STATUS (b)(6)	

8 ORGANIZATION OR ADDRESS
(b)(1), 4(a)

9 I, (b)(6), (b)(3) (10 U.S.C. § 130b) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I served as the (b)(6) from 14 JUL through 1 SEP 2021. Between 18 Jul and 12 Aug, I was granted Target Engagement Authority (TEA) authorizing me to conduct collective self-defense strikes per I (b)(1), 4a. From 8 to 15 AUG, I authorized SI Kinetic Strikes as TEA, resulting in 331 EKIA (Taliban) and over 20 destroyed Taliban stolen military vehicles. (b)(1), 4a in Afghanistan started with a showing of hostile act or demonstration of hostile intent. U.S. Central Command (CENTCOM) limited TEA strike authorization to select situations. Specifically, before any strike could be authorized the Strike Cell must have sufficient information to establish reasonable certainty there were no civilians in the collateral hazard area (CHA) and there would be no effect on structures. Additionally, individuals

(b)(1), 4a

At the time of the 29 AUG 2021 kinetic strike, I was authorized TEA to conduct strikes in self-defense of US/CF in accordance with (b)(1), 4a HQ operational directive 027. In assessing any strike in self-defense of US/CF, we assessed whether any civilians were in the immediate collateral hazard area, as well as whether we gained a distinct military advantage as compared to any collateral damage. Also, on 29 Aug 2021, CDR ENICOM retained strike approval authority for all deliberate (i.e. not in self-defense) strikes against (b)(1), 4a including ISIS-K. Thus, any strikes outside of the immediate area of HKIA targeting ISIS-K required requesting (b)(1), 4a staffed through U.S. Forces-Afghanistan (Forward) (USFOR-A(FWD)) for approval by CDR USCENTCOM.

Events shaping the environment prior to the 29 AUG kinetic strike:

18-20 AUG, Intel reporting indicated ISIS K intentions to conduct attacks on coalition personnel located at Hamid Karzai International Airport (HKIA) and the Taliban in order to prevent the establishment of stability and governance.

20-23 AUG, As a result of the threat reporting, we conducted a targeting effort focused on ISIS K threats leading into Kabul. We were authorized to look at ISIS-K targets, but were required to staff Concepts of Operations (CONOPS) for deliberate strike

(b)(1), 4a, (b)(6)

Kabul that directly threatened HKIA. RADM Peter Vasely, CDR USFOR-A, and MG Chris Donahue, CDR Task Force 82nd, both

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(3) (10 U.S.C. § 130b)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED

STATEMENT OF (b)(6) (b)(3) (10 U.S.C. § 130b) TAKEN AT Fort Bragg, NC DATED 20210908

9 STATEMENT (Continued)

determined conducting a strike was infeasible due to the negative response from their Taliban (b)(6) As a

(b)(1)1.4a (b)(1)1.4c. (b)(1)1.4d

(HPA) on 2 November 2020 (32 KIA 50 WIA). Once fixed, we sought permission through USFOR-A to CDR CENTCOM for

(b)(1)1.4a (b)(1)1.4c

(b)(1)(4c) we conducted a series of vehicle follows, specifically designated "Sedan 2" (see Exhibit 20) as a possible match for a 2000 white Corolla indicated in (b)(1)(4c) and matching almost real time reporting throughout the day to activity associated with the threat reporting. As a result of the confluence in the various (b)(1)(4c) (b)(1)(4g)

(b)(1), 1.4c, (b)(1), 4g I was reasonably certain we were observing a distinct and imminent threat to the U.S. forces at HKIA. Understanding I was granted the authority to conduct a strike under Self Defense, I still took into consideration the law of Armed Conflict's principles of distinction and proportionality. Given the sensitive environment, I further scrutinized the target utilizing the "Six Pillars" strike methodology, emplacing a higher standard in order to account for targeting in an urban environment. I contacted MG Donahue as the Ground Force Commander to apprise him of the risk of an imminent attack and the risks associated with conducting a strike in Kabul. As I informed MG Donahue of the risks, I explained the mitigating measures I planned to take in order to eliminate the threat and minimize collateral damage in the dense urban terrain of Kabul during peak traffic hours. I described the reporting indicated the imminence of the attack was likely to occur that evening or early the next morning as the white Corolla (Sedan 2) was trending North and East toward HKIA. My initial inclination was to strike the vehicle with multiple low collateral munitions in order to neutralize the 4x combatants observed by 4(a), (b)(1), 4g. (b)(1), 4(a), (b)(1), 4c, (b)(1), 4g) traveled from (b)(1), 1.4c, North and East in the general direction of HKIA. As the vehicle dropped personnel off, (b)(1), 1.4c, we started developing a targeting solution for conducting a strike in complex terrain. After dropping off 3 occupants, Sedan 2 proceeded to (b)(1), 1.4c, which was approximately 1.5 km from HKIA and appeared to be parking.

I recommended to MG Donahue we conduct a strike on the vehicle for four reasons: 1) I was reasonably certain the vehicle was a VBIFD being driven by an ISIS-K combatant preparing to attack US and coalition forces, 2) the targeted individual was internal to the vehicle and a strike would prevent said individual from initiating an attack on HKIA that evening or early the next morning when there would be limited (a) coverage (b)(1), 4c 3) the close proximity of the vehicle to HKIA would limit options and time to reasonably interdict the threat, especially from (b)(1), 4b and 4) striking the vehicle in the driveway would mitigate the risk of transient collateral per our initial observations of the residence. Upon approval from MG Donahue, I directed a strike solution to mitigate collateral effects by (b)(1), 4g

ITCs were making calls of (b)(1),4a meaning all civilians were internal to the structures. Ultimately, this means we saw no civilians who would be impacted by blast frag from the (b)(1),4a I felt the risk was appropriate and proportional based off of the threat to HKIA and given the myriad of intelligence reports showing an attack was imminent and the recent 26 AUG attack on the Abbey Gate. The (b)(1),4a was released with approximately a 20 second time of flight to impact the vehicle. Upon impact the driver was still

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(3) (10 U.S.C. § 1306)

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(6) (b)(3) (10 U.S.C. § 130b) TAKEN AT Fort Bragg, NC DATED 20210908

9. STATEMENT (Continued)

assessed to be internal to the vehicle as the initial explosion occurred. Following the initial explosion there was a distinct flash that indicated a secondary explosion that I had not observed during any of the previous 20 vehicle strikes (of the 51 strikes executed during this time period, 20 were specifically against vehicles) I conducted from 8-15 Aug. Furthermore, the secondary did look familiar to other VBIEDs or vehicles carrying incendiary materials from strikes I have conducted in the past ranging back to 2014 while conducting strikes in Syria and Iraq against ISIS VBIEDs. We continued to observe the strike site (b)(1), 4(a) (b)(1), 4(a) for the next 45 mins to an hour in order to observe reactions and assess damage per our operating procedures. A large fire ensued as a result of the second explosion and a number of local personnel aided in putting the fire out.

Approximately 2 to 3 hours after the strike I received a call from the commander of the (b)(1), 4(a) informing me that after review of the feeds, frame-by-frame, from the strike 3 children were assessed to have been killed by the secondary explosion. I immediately informed MG Donahue, RADM Vasely, and (b)(6) (b)(3) (10 U.S.C. § 130b) DR (b)(1), 4(a), of the allegation and awaited for the final products to be sent. I reviewed them and submitted the appropriate notifications CCIR of civilian casualties, which I relayed based upon self-identification and the additional reports from news outlets the situation in Kabul at the time.

(b)(1), 4(c)

The rocket attack was reported to occur between 0600-0630 local on the 30th of AUG 2021. We observed (b)(1), 4(a) and the surrounding area with multiple (b)(1), 4(a) (b)(1), 4(g). Then at 0643 we observed 7 rockets emerge through the clouds heading in the direction of HKIA. Once we were able to (b)(1), 4(a) (b)(1), 4(g) (b)(1), 4(a), (b)(1), 4(g) we found the vehicle from which the rockets were launched from within 50 meters of the location intelligence indicated the vehicle would be placed.

(b)(1), 4(c)

I am reasonably certain this strike hit the intended target of an ISIS K facilitator who intended to conduct an attack on HKIA and was reasonably certain no non-combatants were within the blast radius of the strike at the time of weapons release and impact. Upon learning the strike potentially resulted in civilian casualties, I immediately reported through command channels.

AFFIDAVIT

I, (b)(6) (b)(3) (10 U.S.C. § 130b), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6) (b)(3) (10 U.S.C. § 130b)

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8 day of SEP, 2021 at Fort Bragg, North Carolina.

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6) (b)(3) (10 U.S.C. § 130b)

PAGE 3 OF 3 PAGES

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary

1. LOCATION 82D AIRBORNE DIVISION, FORT BRAGG, NC	2. DATE (YYYYMMDD) 20210907	3. TIME 1400	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME DONAHUE, CHRISTOPHER T	6. SSN	7. GRADE/STATUS MG	
8. ORGANIZATION OR ADDRESS HQ, 82D AIRBORNE DIVISION			

9. I, Christopher T. Donahue, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

I served as the Commander of JTF-82, the joint task force assigned as part of the Noncombatant Evacuation Operation (NEO) at Hamid Karzai International Airport (HKIA), from 18 August 2021 through the departure of all U.S. forces on 30-31 August 2021.

Throughout our time at HKIA, there was a steady stream of specific intelligence reports indicating a high likelihood of an ISIS-K attack on our forces. The threat stream included the possibility of suicide vests, complex attacks, rocket attacks, and more. On 26 August 2021, an ISIS-K cell conducted a suicide vest attack against the Abbey Gate of HKIA resulting in the loss of 13 brave servicemembers and many civilians. The specific ISIS-K threats did not subside after the 26 August attack. In fact, specific reporting indicated ISIS-K intended to use two vehicles, a white Toyota Corolla and a motorcycle, to launch an assault on HKIA.

During the day on 29 August 2021, I was informed by the (b)(1), (b)(7)(F), (b)(7)(G) that they were (b)(1), (b)(7)(F), (b)(7)(G) a white Toyota Corolla moving to a known ISIS-K compound. The driver of the vehicle apparently carefully loaded items (potentially explosives) into his vehicle and drove evasively around Kabul. I was briefed by the (b)(1), (b)(7)(F), (b)(7)(G) team that they had high confidence the driver was part of an ISIS-K cell preparing to launch an attack on HKIA. Given my assessment of the threat and the circumstances, I concurred with their conclusions and their decision to strike the target when feasible under a self-defense theory. At the time the situation was briefed to me, there was no expectation civilians would be harmed in the strike. The strike seemed a necessary and appropriate use of force to defend the U.S. efforts on HKIA from the perceived actions of an ISIS-K cell member.

After the counter-terrorism strike on the Toyota Corolla occurred, the ISIS-K threat reporting changed. The indications of a suicide attack involving a Toyota Corolla seemed to subside. It is our assessment that this change occurred due to the strike we conducted on 29 August 2021 and that the strike prevented a vehicular attack on HKIA. ISIS-K attempted other attacks, including direct and indirect fire attacks. This included five rockets launched at HKIA on the morning of 30 August 2021, but did not include a vehicular attack. Of note, those rockets were launched only a couple hundred meters from where this specific white Corolla was initially located.

//NOTHING FOLLOWS

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(6) CD	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM

STATEMENT OF DONAHUE, CHRISTOPHER T TAKEN AT HQ, 82D AIRBORNE DATED 20210907

9 STATEMENT (Continued)
//NOTHING FOLLOWS//

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

CD

PAGE 2 OF 3 PAGES

STATEMENT OF DONAHUE, CHRISTOPHER T TAKEN AT HQ, 82D AIRBORNE DATED 20210907

9 STATEMENT (Continued)

//NOTHING FOLLOWS//

AFFIDAVIT

I Christopher T Donahue HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD WITHOUT THREAT OF PUNISHMENT AND WITHOUT COERCION UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

DONAHUE CHRISTOPHER TODD 1039102060 Digitally signed by DONAHUE CHRISTOPHER TODD 1039102060
Date: 2021.09.07 15:51:12 Z

(Signature of Person Making Statement)

WITNESSES

Subscribed and sworn to before me, a person authorized by law to administer oaths this 7th day of September, 2021 at Al Udeid Air Base, Qatar (telephonic)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(b)(6)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art. 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6)

PAGE 3 OF 3 PAGES

(b)(1)1.4(a) **JAG**

From: (b)(3) 10 U.S.C. 130b, (b)(6)
Sent: Monday, August 30, 2021 2:52 AM
To:

Cc: (b)(1)1.4a, (b)(3)10 U.S.C. § 130b, (b)(6)

Subject:

Attachments:

Classification: SECRET//REL TO USA, FVEY

Message Body Classification: SECRET//REL TO USA, FVEY

Classification: SECRET//REL TO USA, FVEY

Message Body Classification: SECRET//REL TO USA, FVEY

*****INITIAL / FINAL REPORT*****

ALCON,

(b)(1)1.4a

BLUF: (b)(1)1.4(a) conducted a kinetic strike in (b)(1)1.4a, Kabul in support of US Forces' inherent right to self-defense against 2x enemy combatants planning and facilitating a VBIED attack against HKIA, resulting in **2x EKIA, 1x vehicle with internal explosive material destroyed, and up to** (b)(1)1.4(a)
(b)(1)1.4(a)

WHO: (b)(1)1.4(a)

WHAT: (b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c (b)(1)1.4(a) **observed a white Toyota, which was being delicately loaded with unknown materials.**

(b)(1)1.4a in support of US Forces' inherent right to self-defense, targeting the vehicle carrying what was assessed to be explosive materials. (b)(1)1.4(a) observed a large secondary explosion immediately following the K/S, confirming the explosive material. Following, (b)(1)1.4(a) observed open source reports in the **media stating the strike caused CIVCAS.**

WHEN: 29 (b)(1)1.4(a) **AUG 21**

WHERE: (b)(1)1.4a **KABUL // (b)(1)1.4a — 1.5 Km West of HKIA**

Amplifying Information:

On 29AUG21, (b)(1)1.4(a) identified key locations of interest within Kabul connected to the planned HPA and established (b)(1)1.4(a) as an assessed bed down location. At (b)(1)1.4(a) 1x white sedan (S1) internal to (b)(1)1.4(a), exited dynamic south (b)(1)1.4(a). At (b)(1)1.4(a) 1x white sedan (S2) arrived to (b)(1)1.4(a) interacted with (b)(1)1.4(a) proceeded dynamic south (b)(1)1.4(a). At (b)(1)1.4(a) S1 (b)(1)1.4(a) arrived at a compound (b)(1)1.4(a) and moved internal. At (b)(1)1.4(a) S2 picked up (b)(1)1.4(a) and moved dynamic south (b)(1)1.4(a) where (b)(1)1.4(a) went internal.

At (b)(1)1.4(a) unloaded S2's trunk, (b)(1)1.4(c) and at (b)(1)1.4(a) a motorcycle (b)(1)1.4(a) arrived to (b)(1)1.4(a) before proceeding to (b)(1)1.4(a). At (b)(1)1.4(a) S1 (b)(1)1.4(a) and motorcycle (b)(1)1.4(a) arrive at (b)(1)1.4(a) before moving dynamic S and returning to (b)(1)1.4(a). At (b)(1)1.4(a) carefully loaded S2 with and departed (b)(1)1.4(a) dynamic north from (b)(1)1.4(a).

At (b)(1)1.4(a) S2 dropped off (b)(1)1.4(a) S2 (b)(1)1.4(a) moved dynamic across Kabul (b)(1)1.4(a; (b)(1)1.4(c); (b)(1)1.4(g)) At (b)(1)1.4(a) S2 arrived to (b)(1)1.4(a), and backed into an open air garage. Screeners and (b)(1)1.4(a) assessed a total (b)(1)1.4(a) internal to S2 and (b)(1)1.4(a) external to vehicle.

Based upon the totality of information at the time, (b)(1)1.4(a) reached reasonable certainty that the vehicle was being driven by an ISIS-K member, who was facilitating an attack against HKIA. Such intelligence, as previously discussed, included: 26AUG21 HPA attack at HKIA; (b)(1)1.4(c) follow-on HPAs at HKIA; observation of (b)(1)1.4(a) at established NAIs associated with ISIS-K attack facilitation; and (b)(1)1.4(c) with the vehicle of interest.

Accordingly, the (b)(1)1.4(a) assessed that the vehicle posed an imminent threat, whose destruction would protect the lives of US Forces at HKIA. The (b)(1)1.4(a) took all necessary measures to mitigate collateral through its weaponizing solution as well as waiting for the slant to be clear of any women and children. The (b)(1)1.4(a) subsequently conducted (b)(1)1.4(c) resulting in 2x EKIA, 1x vehicle with internal explosive material destroyed, and up to (b)(1)1.4(a) (b)(1)1.4(a).

Upon observing open source media reports stating that potential CIVCAS may have occurred, the (b)(1)1.4(a) immediately conducted an internal review of its procedures and assessed whether the strike resulted in potential CIVCAS. Through review of post-strike footage, open source reporting, and intelligence reports, the (b)(1)1.4(a) (b)(1)1.4(a)

(b)(1)1.4(c) Given the timing of the previous attack, (b)(1)1.4(c) timing of a new attack, and timing of US Forces retrograde from HKIA, (b)(1)1.4(a) assessed such an HPA could happen at any time. There were no limitations in place for conducting strikes within Kabul, and the inherent right to self-defense was not further limited. (b)(1)1.4(a) observed the vehicle in question (b)(1)1.4(c) did not observe any collateral at the time of strike, and relayed slants to the TEA throughout duration of the strike (b)(1)1.4(a) observed immediate secondaries after strike. Given the high likelihood and imminence of an attack, the resulting military necessary/advantage, and distinguishing of individuals in the strike area, (b)(1)1.4(a) conducted a (b)(1)1.4(a) in self-defense of US Forces' at HKIA. Accordingly, the strike is consistent with the laws of armed conflict and the standing rules for engagement.

(b)(1)1.4(a)

ASSETS:

(b)(1)1.4(a)

Actions Taken and Way Ahead:

- (b)(1)1.4(a) verbally notified chain of command of potential CIVCAS allegations.
- (b)(1)1.4(a) conducted an internal after action review on the facts and circumstances surrounding the strike.
- (b)(1)1.4(a) is monitoring the IE for additional atmospherics from the strike.
- (b)(1)1.4(a) is standing by to provide additional information and reflections from the strike as necessary.

v/r,

(b)(3) 10 U.S.C. 130b. (b)(6)

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

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(b)(3) (10 U.S.C. § 130c), (b)(1) 4d

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